

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

JUL 13 1999

DOCKET FILE COPY ORIGINAL

86-285

OFFICE OF
MANAGING DIRECTOR

Barry A. Friedman, Esquire
Thompson, Hine & Flory
1920 N Street, N.W.
Washington, D.C. 20036-1601

Re: Fee Control # 9807078165204001

Dear Mr. Friedman:

This will respond to your request for refund of the filing fee submitted on behalf of Costa de Oro Television, Inc. ("Costa de Oro"), in connection with its application to change the call sign of its Ventura, California television station.

You state, and our records reflect, that Costa de Oro inadvertently submitted a \$1,125.00 fee, which was substantially more than the \$70.00 fee that was associated with the application. *See* 47 C.F.R. § 1.1104 (h). Under the circumstances, refund of the original filing fee is appropriate. *See* 47 C.F.R. Section 1.1113(a)(1).

Accordingly, your request is granted. A check, made payable to the maker of the original check and drawn in the amount of \$1,055.00, per your request, will be sent to Costa de Oro Television, Inc., Suite 204, 15304 Sunset Boulevard, Pacific Palisades, California 90272, at the earliest practicable time. If you have any questions concerning this refund, please contact the Chief, Fee Section at (202) 418-1995.

Sincerely,


Mark Reger
Chief Financial Officer

THOMPSON
HINE & FLORY LLP

Attorneys at Law

Fee #

9807078165204001

July 7, 1998

Ms. Regina Dorsey
Chief, Billings and Collections Branch
Federal Communications Commission
Room 452
1919 M Street, NW
Washington, D.C. 20554

Re: Costa de Oro Television, Inc.

Dear Ms. Dorsey:

On July 6, 1998, Costa de Oro Television, Inc. submitted an application to the Commission to change the call sign for its Station KSTV-TV, Ventura, California (Code: MBT).

The filing fee for the application was in the amount of \$70.00. Costa de Oro Television, Inc. was contemplating the filing of another application with the Commission. The filing fee for that application was in the amount of \$1,125.00. In the process of filing the applications, the checks were reversed, with the \$1,125.00 check being submitted in place of the \$70.00 check. We have been advised that the \$1,125.00 check has been processed.

Owing to the overpayment of the filing fee, it is hereby requested that the Commission issue Costa de Oro Television, Inc. a refund in the amount of \$1,055.00. The refund should be sent to:

Costa de Oro Television, Inc.
Suite 204
15304 Sunset Boulevard
Pacific Palisades, California 90272

Should there be any questions in regard hereto, please communicate with the undersigned.

Very truly yours,

Barry A. Friedman

Payment Transactions Detail Report

Date: 7/8/98

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name	Account Number	Received Date
9807078165204001	BEACH 43 CORPORATION 15304 SUNSET BOULEVARD SUITE 204 PACIFIC PALISADES CA 90272	FCC2052608	07/06/98

Payment Amount	Current Balance	Seq Num	Payment Type Code	Quantity	Callsign Other Id	Applicant Name	Applicant Zip	Bad Check	Detail Amount	Trans Code	Payment Type
\$1,125.00	\$1,125.00	2	SUSP	1		BEACH 43 CORPORATION	90272		\$1,055.00	1	PMT
\$1,125.00	\$1,125.00	1	MBT	1	KSTVTV	COSTA DE ORO TELEVISION INC	90272		\$70.00	1	PMT
Total		2							\$1,125.00		

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554
AUG 10 1999

DOCKET FILE COPY ORIGINAL

46-285

OFFICE OF
MANAGING DIRECTOR

Ms. Lynda J. Roush
Field Manager
U.S. Department of Interior
Bureau of Land Management
Arcata Field Office
1695 Heindon Road
Arcata, CA 95521-4573

Re: Lester J. Dietz
Television Translators K06FR,
K08GJ, K10GL and K12GV

Dear Ms. Roush:

This is in response to your letter concerning a waiver of the annual regulatory fees for the referenced Television Translator Stations licensed to Lester J. Dietz.

In implementing the regulatory fee program, the Commission stated that it would waive its regulatory fees for any translator station that:

(1) is not licensed to, in whole or in part, and does not have common ownership with, the licensee of a commercial broadcast station; (2) does not derive income from advertising; and (3) is dependent on subscriptions or contributions from members of the community served for support.

Implementation of Section 9 of the Communications Act, 10 FCC Rcd 12759, 12762 ¶ 16 (1995).

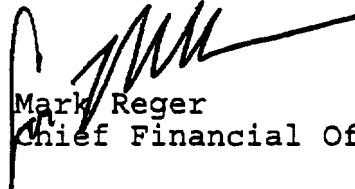
In the absence of appropriate documentation concerning the above-mentioned waiver categories or of financial hardship, your request for a waiver of the filing fee is denied. The FY 1998 regulatory fee for the four television translators stations K06FR, K08GJ, K10GL and K12GV in the amount of \$265 each or a total of \$1,060.00 is now due. The payment should be filed together with a completed FCC Form 159 (copy enclosed) within 30 days from the date of this letter. However, in lieu of payment, Mr. Dietz may submit a further request for deferment and waiver of the regulatory fees, supported by appropriate documentation within 30 days from the date of this letter.

Ms. Lynda J. Roush

2.

If Mr. Dietz has any questions concerning the regulatory fees, he may call the Credit and Debt Management Center, at (202) 418-1995.

Sincerely,



Mark Reger
Chief Financial Officer

cc: Lester J. Dietz
P.O. Box 637
Ukiah, CA 94482



000000 BCB-98-083

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Arcata Field Office
1695 Heindon Road
Arcata, California 95521-4573

CA S 1721
2800
CA 330

September 4, 1998

Office of the Managing Director
Federal Communications Commission
1919 M Street Northwest, Room 450
Washington D.C. 20554

Attention: Regulatory Fee Waiver/Reduction Request

The Bureau of Land Management (BLM) is writing on behalf of L.J. Dietz, who holds an FCC license and who uses our agency's Cahto Peak Communication Site. Mr. Dietz operates a television translator station that serves a remote area of Mendocino County, California. This service has been provided since 1968, originally by the North Mendocino County Chamber of Commerce. Mr. Dietz took it over in 1976.

It is our understanding that Mr. Dietz wishes to receive a waiver of FCC fees in connection with this translator service.

The Bureau of Land Management has granted him a waiver of fees based on the public service he has provided to the community under Title 43 Code of Federal Regulations, Part 2803.1-2(II). Our agency has monitored his operations and we have determined that his use continues to provide a free public service.

If you have any questions, please contact Charlotte Hawks, (707) 825-2319.

Sincerely,

Lynda J. Roush
Field Manager

UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

File No. (s): BALTTV-800226IA
thru BALTTV-800226ID

Class of station(s): VHF TV TRANS.

<input checked="" type="checkbox"/> CONSENT TO ASSIGNMENT: <input type="checkbox"/> CONSENT TO TRANSFER CONTROL: <input type="checkbox"/> CONSENT TO TRANSFER STATION: Whereby at Control by is effected.	FROM NORTH MEDOCINO COUNTY CHAMBER OF COMMERCE
	TO LESTER J. DIETZ <i>P.O. Box 637 UKIAH</i>
Licensee/Permittee: (for transfer only) <i>CAL 95482</i>	

CALL SIGN(s) STATION LOCATION(s) AUXILIARY STATION(s) (for assignments only)

K06FR	Laytonville, California
K08GJ	Laytonville, California
K10GL	Laytonville, California
K12GV	Laytonville, California

RECEIVED
BUREAU OF LAND MGMT.
APR 22 7 30 AM '81
SACRAMENTO, CALIFORNIA

Under authority of the Communications Act of 1934, as amended, the consent of the Federal Communications Commission is hereby granted to the transaction indicated above.

The Commission's consent to the above is based on the representations made by the applicants that the statements contained in, or made in connection with, the application are true and that the undertakings of the parties upon which this transaction is authorized will be carried out in good faith.

The actual consummation of voluntary transactions shall be completed within 60 days from the date hereof, and notice in letter form thereof shall promptly be furnished the Commission by the buyer showing the date the acts necessary to effect the transaction were completed. Upon furnishing the Commission with such written notice, this transaction will be considered completed for all purposes related to the above described station(s).

FCC Form 323 (Ownership Report), must be filed within 30 days after consummation, by the licensee/permittee or assignee.

ADDITIONAL REQUIREMENTS FOR ASSIGNMENTS ONLY:

Upon consummation the assignor must deliver the permit license, including any modifications thereof to the assignee.

It is hereby directed that, upon consummation, a copy of this consent be posted with the station authorization(s) as required by the Commission's Rules and Regulations.

The assignee is not authorized to construct nor operate said station(s) unless and until notification of consummation in letter form has been forwarded to the Commission.

FCC Form 324 (Annual Financial Report) must be filed, within 60 days after consummation, by the assignor, for his period of operation.

Dated: JUNE 23, 1980
trg

FEDERAL
COMMUNICATIONS
COMMISSION



FCC Form 732
July 1978

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554
JUL 15 1999

SECRET FILE COPY ORIGINAL

86-285

OFFICE OF
MANAGING DIRECTOR

Ms. Jane Goode Breder
5323 E. Paradise Drive
Scottsdale, Arizona 85254

Dear Ms. Breder:

This is in response to your request for waiver of the fees filed in connection with the assignment of licenses to the Estate of Quinton W. Goode.

You represent that Mr. Goode had been the licensee of several translator stations, that upon his death, you were appointed the Personal Representative of his estate, and that you have been required to assign the licenses to the estate. As for one of the stations, you represent that it is a non-profit, educational station and thus that is exempt from the fee requirement. With respect to the other stations, you represent that the imposition of fees constitutes an "unfair burden," particularly given that no fees were required for the transfer of other properties to the estate. You therefore request a refund of all fees paid.

At the outset, sections 1.1115(c) and (d) of the Commission's rules, 47 C.F.R. §§ 1.1115 (c) and (d), only non-profit educational organizations or entities are exempt from the payment of application fees. You have not established that Mr. Goode, and/or the Estate of Mr. Goode, was and/or is a qualifying organization, or entity, so as to be exempt from the payment of application fees.


Additionally, the circumstances that you describe are not among those enumerated in section 1.1113 of the Commission's rules, 47 C.F.R. § 1.1113, specifying those instances in which fee refunds would be appropriate. As the Commission has made no provision for the refund of fees where stations are to be assigned to and ultimately renewed in the name of a probate estate, we cannot find that a refund is warranted in this instance.

Finally, under section 1.1117(a) of the Commission's rules, 47 C.F.R. § 1.1117(a), the Commission may waive application fees only upon a showing of good cause and a finding that the public interest will be served thereby. It is not clear from your waiver request whether by "unfair" you meant that the imposition of fees represents a financial hardship. The Commission will waive the fee requirements where "a petitioner presents a compelling case of financial hardship" and submits documentation that demonstrates that the fee payments impose an undue burden. *Cf. Implementation of Section 9 of the Communications Act*, 9 FCC Rcd 5333, 5346 (1994). You may establish financial hardship by submitting information such as the Estate's balance sheet (with assets and disbursements), income tax filings, or similar information. Here, you have neither established good cause or that the public interest will be served by waiver of the fees, in general, nor have demonstrated that the imposition of the fees represents a financial hardship.

Ms. Breder
Page 2

Accordingly, your request for refund is denied.

Sincerely,


Mark Reger
Chief Financial Officer

9806188350562005

Jane Goode Breder
5323 E. Paradise Dr.
Scottsdale, AZ 85254

ASSOC. MNG. DIR.
FINANCIAL OPERATIONS
(AMD-FO)

JUN 10 9 17 AM '98

RECEIVED

June 3, 1998

Office Management Director
Federal Communications Commission
1919 M Street N. W.
Washington, DC 20554

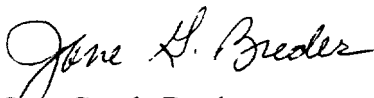
To Whom It May Concern:

I respectfully request that \$500 in fees paid to assign license renewals to The Estate of Quinton W. Goode be waived. My rationale is:

1. Mr. Goode filed for license renewals (with appropriate fees paid) in September 1997. He died in January 1998 with 3 of the licenses yet to be renewed. These licenses must be renewed in the name of his estate as I am told they cannot be awarded to someone who is deceased. Had the process proceeded in a timely manner, the licenses would have been renewed prior to his death.
2. On those three licenses (one of which is educational, non-profit and has no fee) awarded in his name, I have been requested to assign the name of the license to the estate. As his court appointed Personal Representative, I have the legal power to conduct business for his estate and in his name. No other businesses are requiring me to change the name of his accounts or titles to property and if a name change has occurred, no other business has requested fees.

I feel this puts an unfair burden on me as all fees were submitted on time in September 1997.
Thank you for your consideration.

Sincerely,



Jane Goode Breder
Personal Representative for the Estate of Quinton W. Goode

Enclosures: Copy of fees paid (\$500)

C O V E R**FAX****S H E E T**

To: Tom Puttman
Fax #: (202) 418-2843
Subject: Documentation for Fee Refund for Quinton W. Goode-The Estate of Quinton W. Goode
Date: July 9, 1998
Pages: 4, including this cover sheet.

Mr. Puttman:

Thank you for your call today. The check, FCC Form 159 and FCC Form 315 were all sent to:

Federal Communications Commission
Mass Media Services
P.O. Box 358350
Pittsburgh, PA 15251-5350

Per your request I am attaching a copy of FCC Form 159 and 159-c and the canceled check. Should you have any questions, please feel free to contact me at my daytime work number, (602) 443-6664.

I feel my request is well within reason and I look forward to a positive response from the FCC. Thank you again for your consideration.

Jane Breder

From the desk of...

Jane G. Breder

5323 E. Paradise Dr.
Scottsdale, AZ 85254

Home: (602) 991-8391
Work: (602) 443-6664

Payment Transactions Detail Report

Date: 7/10/98

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name	Account Number	Received Date
9806188350562005	BREDER, JANE G 5323 E PARADISE DR	FCC2009467	06/17/98

SCOTTSDALE AZ 85254

Payment Amount	Current Balance	Seq Num	Payment Type Code	Quantity	Callsign Other Id	Applicant Name	Applicant Zip	Bad Check	Detail Amount	Trans Code	Payment Type
\$500.00	\$500.00	2	MDF	1	K240BO	BREDER, JANE G	85254		\$100.00	1	PMT
\$500.00	\$500.00	4	MDF	1	K244CA	BREDER, JANE G	85254		\$100.00	1	PMT
\$500.00	\$500.00	5	MDF	1	K244CE	BREDER, JANE G	85254		\$100.00	1	PMT
\$500.00	\$500.00	1	MDF	1	K261BZ	BREDER, JANE G	85254		\$100.00	1	PMT
\$500.00	\$500.00	3	MDF	1	K292EB	BREDER, JANE G	85254		\$100.00	1	PMT
Total	5								\$500.00		

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

CREDIT & DEBIT MANAGEMENT
CENTER, OMD

OFFICE OF
MANAGING DIRECTOR

DEC 7 1999

DOCKET FILE COPY ORIGINAL

86-205

Eric Kravetz, Esquire
3511 Porter Street, N.W.
Washington, D.C. 20016

Re: Request for waiver and refunds of the FY
1994 - 1988 regulatory fees for Radio
Stations KGVL and KIKT-FM, Greenville,
Texas.

Fee Control # 9809188835188005
9809188835188003
9709228835048006
9609238835583001
9509158835067010
9408268835124007

Dear Mr. Kravetz:

This is in response to your request for waiver and refund of the Fiscal Years (FY) 1994, 1995, 1996, 1997 and 1998 regulatory fees for Radio Stations KGVL and KIKT-FM, Greenville, Texas, licensed to First Greenville Corporation. You argue that the stations have suffered substantial financial losses and negative cash flow throughout the period.

The requests for waivers of the FY 1994, 1995, 1996 and 1997 are untimely and are dismissed. 47 C.F.R. § 1.1166(c) specifically requires that petitions for waiver of the fees should be filed with the filing of the Form 159. Moreover, licensees were notified of their rights to request waivers in the Public Notices advising them of their fee obligation. In spite of these provisions, First Greenville Corporation has not made an attempt to show why it could not have requested the waivers in a more timely manner.

In establishing its regulatory fee program, the Commission recognized that in certain instances payment of a regulatory fee may impose an undue financial hardship upon a licensee. Thus, the Commission decided to grant waivers or reductions of its regulatory fees in those instances where a "petitioner presents a compelling case of financial hardship." Implementation of Section 9 of the Communications Act, 9 FCC Rcd 5333, 5346 (1994), reconsideration granted, 10 FCC Rcd 12759 (1995).

In determining whether a licensee has sufficient revenues to pay its regulatory fees, the Commission relies upon a licensee's cash flow, as opposed to the entity's profits. Thus, although deductions for amortization and depreciation, which do not affect

Eric Kravetz, Esquire


2.

cash flow, and payments to principals, reduce gross income for tax purposes, those deductions also represent money which is considered to be available to pay the regulatory fee.

Under the circumstances, First Greenville Corporation has established that payment of the FY 1998 regulatory fee would create a compelling case of financial hardship and merits a waiver and a refund of the \$400 fee paid for Radio Station KGVL and the \$600 fee paid for Radio Station KIKT-FM. The waiver, however, is limited to the FY 1998 regulatory fees. If First Greenville Corporation continues to experience financial hardship, you may file requests for waivers of the regulatory fees for subsequent years supported by appropriate documentation.

A check, made payable to the maker of the original check, and drawn in the aggregate amount of \$1000, will be sent to you at the earliest practicable time. If you have any questions concerning the refund, please call the Credit & Debt Management Center at 418-1995.

Sincerely,


Mark Reger
Chief Financial Officer

Payment Transactions Detail Report

Date: 10/26/1999

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name	Fcc Account Number	Payer TIN	Received Date							
9408268835124007	FIRST GREENVILLE CORP PO BOX 1015	0751975219		8/25/1994 00:00:0							
	GREENVILLE TX 75403										
Payment Amount	Current Balance	Seq Num	Payment Type Code	Quantity	Callsign Other Id	Applicant Name	Applicant Zip	Bad Check	Detail Amount	Trans Code	Payment Type
\$200.00	\$200.00	1	MRAN	1	KGVLAM	\$			\$200.00	1	PMT
Total	1								\$200.00		

Payment Transactions Detail Report

Date: 10/26/1999

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name	Fcc Account Number	Payer TIN	Received Date							
9509158835067010	FIRST GREENVILLE CORP PO BOX 1015 GREENVILLE TX 75403	0751975219		9/14/1995 00:00:0							
Payment Amount	Current Balance	Seq Num	Payment Type Code	Quantity	Callsign Other Id	Applicant Name	Applicant Zip	Bad Check	Detail Amount	Trans Code	Payment Type
\$250.00	\$250.00	1	MRAN	1	KGVLAM	FIRST GREENVILLE CORP			\$250.00	1	PMT
Total	1								\$250.00		

Payment Transactions Detail Report

Date: 10/26/1999

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name	Fcc Account Number	Payer TIN	Received Date							
9609238835583001	FIRST GREENVILLE CORP PO BOX 1015	FCC2020930		9/17/1996 00:00:0							
					GREENVILLE	TX	75403				
Payment Amount	Current Balance	Seq Num	Payment Type Code	Quantity	Callsign Other Id	Applicant Name	Applicant Zip	Bad Check	Detail Amount	Trans Code	Payment Type
\$1,110.00	\$1,110.00	2	MRA6	1	KGVLAM	FIRST GREENVILLE CORP			\$280.00	1	PMT
\$1,110.00	\$1,110.00	1	MMF6	1	KIKTFM	FIRST GREENVILLE CORP			\$830.00	1	PMT
Total									2	\$1,110.00	

Payment Transactions Detail Report

Date: 10/26/1999

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name	Fcc Account Number	Payer TIN	Received Date								
9709228835048006	KGVL RADIO PO BOX 1015	FCC2043986		9/17/1997 00:00:0								
					GREENVILLE	TX	75403					
Payment Amount	Current Balance	Seq Num	Payment Type Code	Quantity	Callsign Other Id	Applicant Name	Applicant Zip	Bad Check	Detail Amount	Trans Code	Payment Type	
\$1,600.00	\$1,600.00	1	MGC7	1	KGVLAM	KGVL RADIO	75403		\$1,600.00	1	PMT	
Total	1									\$1,600.00		

Payment Transactions Detail Report

Date: 10/26/1999

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name	Fcc Account Number	Payer TIN	Received Date							
9809188835188003	KIKT RADIO PO BOX 1015 GREENVILLE TX 75403	FCC2043985		9/17/1998 00:00:0							
Payment Amount	Current Balance	Seq Num	Payment Type Code	Quantity	Callsign Other Id	Applicant Name	Applicant Zip	Bad Check	Detail Amount	Trans Code	Payment Type
\$600.00	\$600.00	1	MFB8	1	KIKTFM	KIKT RADIO	75403		\$600.00	1	PMT
Total	1								\$600.00		

Payment Transactions Detail Report

Date: 10/26/1999

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name	Fcc Account Number	Payer TIN	Received Date							
9809188835188005	KGVL RADIO PO BOX 1015 GREENVILLE TX 75403	FCC2043986		9/17/1998 00:00:0							
Payment Amount	Current Balance	Seq Num	Payment Type Code	Quantity	Callsign Other Id	Applicant Name	Applicant Zip	Bad Check	Detail Amount	Trans Code	Payment Type
\$400.00	\$400.00	1	MCC8	1	KGVLAM	KGVL RADIO	75403		\$400.00	1	PMT
Total	1								\$400.00		

7007180035180003 ✓
9809188835188003

ORIGINAL
RECEIVED

OCT 19 1998

Law Offices
ERIC S. KRAVETZ

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

3511 Porter Street, NW
Washington, D.C. 20016

Tel: (202) 364-0186
Fax: (202) 364-1037
E-mail: Ekravetz@erols.com

October 19, 1998

**Request for Waiver and Refund
of Regulatory Fees**

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
1919 M Street, NW
Washington, D.C. 20554

Re: KGVL and KIKT-FM
Greenville, Texas

Dear Ms. Salas:

On behalf of my client, First Greenville Corporation, licensee of Stations KGVL and KIKT-FM, Greenville, Texas, there is submitted herewith its Request for Waiver and Refund for the regulatory fees which it has paid in the years 1994-1998. As explained in the enclosed certified statements of the licensee's principal and the stations' bookkeeper, and as substantiated in the financial statements attached thereto, such waiver and refund are warranted by the substantial financial losses and negative cash flow which have been experienced by the stations throughout that period.

Please direct any inquiry concerning this submission to the undersigned.

Very truly yours,


Eric S. Kravetz

Enclosures

9408268835124007

Payment Transactions Detail Report

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name	Account Number	Received Date
9809188835188005	KGVL RADIO PO BOX 1015	FCC2043986	09/17/98

GREENVILLE TX 75403

Payment Amount	Current Balance	Seq Num	Payment Type Code	Quantity	Callsign Other Id	Applicant Name	Applicant Zip	Bad Check	Detail Amount	Trans Code	Payment Type
\$400.00	\$400.00	1	MCC8	1	KGVLAM	KGVL RADIO	75403		\$400.00	1	PMT
Total	1								\$400.00		

FIRST GREENVILLE CORP

HARDSHIP WAIVER 10/19/98

FY	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>
KGVL-AM	\$ 200.00	\$ 250.00	\$ 280.00	\$ 1,600.00	\$ 400.00
KIKT-FM	\$ 600.00	\$ 745.00	\$ 830.00	\$ 600.00	\$ 600.00

ENTERED TO WAIVER TRACKING SYSTEM AS FCN 9809188835188005



Payment Search Detail

Fee Control Number	Payor Name	Remittance ID	Payment Amount
9803308180500004	FIRST GREENVILLE CORP	002228	\$90.00
9809188835188003	KIKT RADIO	002511	\$600.00

Credit Card Info

Payor Info

Bad Check Info

Changer Info

Acct Info

Sequence	Quantity	Payment Type Code	Payment Amount	Trans Code	CallSign Other Id	Treasury Symbol	Date Last Changed	Changer Initials
1	1	MFB8	\$600.00	PMT	KIKTFM	27X6088	9/21/98	SYS

Move to Unapplied

FCC Code Info

Applicant Info

Treasury Info

Modify Payment

Close

Print Screen



Novell-delive...

GroupWise - ...

FCC Colle...

Microsoft W...

Microsoft Ex...

N 3:36 PM



Payment Search Detail

Fee Control Number	Payor Name	Remittance ID	Payment Amount
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9709228835048005	KIKT RADIO	001909	\$600.00
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9803308180500004	FIRST GREENVILLE CORP	002228	\$90.00
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Credit Card Info

Payor Info

Bad Check Info

Changer Info

Acct Info

Sequence	Quantity	Payment Type Code	Payment Amount	Trans Code	CallSign Other Id	Treasury Symbol	Date Last Changed	Changer Initials
1	1	MGH7	\$600.00	PMT	KIKTFM	27X6725	9/25/97	SYS

Move to Unapplied

ECC Code Info

Applicant Info

Treasury Info

Modify Payment

Close

Print Screen

Start

Novell-delive...

GroupWise - ...

FCC Colle...

Microsoft W...

Microsoft Ex...

N 3:36 PM

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554
September 16, 1999

46-285

OFFICE OF
MANAGING DIRECTOR

Larry D. Perry, Esquire
11464 Saga Lane
Knoxville, TN 37931-2819

Re: Request for Waiver of Regulatory Fee
WNTQ-TV Florida Media Broadcasters, Inc
Fee Control No. 9809178835444003

Dear Mr. Perry:

This is in response to the request for waiver of the Fiscal Year 1998 regulatory fee filed on behalf of Florida Media Broadcasters, Inc., licensee of WNTQ-TV, Daytona, Florida. We apologize for failing to respond to your request in a timely manner.

You assert that Florida Media Broadcasters, Inc. is unable to pay the full regulatory fee due to expenses and losses for the past year. To support the assertion you submitted a Balance Sheet as of August 31, 1998; Profit and Loss accounting for August 1998 and Comparison Profit and Loss summary for January through August 1998.

In establishing its regulatory fee program, the Commission recognized that in certain instances payment of a regulatory fee may impose an undue financial hardship upon a licensee. Thus, the Commission decided to grant waivers or reductions of its regulatory fees in those instances where a "petitioner presents a compelling case of financial hardship." Implementation of Section 9 of the Communications Act, 9 FCC Rcd 5333, 5346 (1994), reconsideration granted, 10 FCC Rcd 12759 (1995). The Commission further held that regulatees can establish financial need by submitting:

[I]nformation such as a balance sheet and profit and loss statement (audited, if available), a cash flow projection . . . (with an explanation of how calculated), a list of their officers and their individual compensation, together with a list of their highest paid employees, other than officers, and the amount of their compensation, or similar information.

10 FCC Rcd at 12761-2762.

In determining whether a licensee has sufficient revenues to pay its regulatory fees, the Commission relies upon a licensee's cash flow, as opposed to the entity's profits. Thus, although deductions for amortization and depreciation, which do not affect cash flow, and payments to principals, reduce gross income for tax purposes, those deductions also represent money which is considered to be available to pay the regulatory fee.

In considering financial hardship, our consideration is limited to the financial viability of a station and its ability to provide services. Thus, even if a station loses money, any funds paid to principals, deductions for depreciation or similar items are considered funds available to pay the fees. It appears from the limited documentation submitted that Florida Media Broadcasters, Inc. may have been making significant payments to its principals. Such funds would be considered funds available to pay the regulatory fees.

Florida Media Broadcasters, Inc. has failed to establish a compelling case of financial hardship. Therefore, the request for waiver or reduction of regulatory fees is dismissed. Payment of the full regulatory fee of \$10,725, less payment of \$1,075, is now due. The \$9,650 should be filed together with a Form 159 (copy enclosed) within 30 days from the date of this letter. However, in view of the allegations of financial hardship, in lieu of payment, Florida Media Broadcasters, Inc.'s request may be refiled together with appropriate supporting documentation within 30 days from the date of this letter.

If payment or a refiled request is not received within 30 days of the date of this letter, Florida Media Broadcasters, Inc. will be assessed a late fee of 25% of the unpaid amount of the regulatory fee. If you have any questions concerning the regulatory fee payment, please contact the Credit and Debt Management Center at (202) 418-1995.

Sincerely,


Mark Reger
Chief Financial Officer

Enclosure

9809178835444003

RECEIVED



Larry D. Perry

Dec 1 3 00 PM '98



11464 Saga Lane • Knoxville, TN 37931-2819 • Telephone (423) 927-8474 • Fax (423) 927-4912

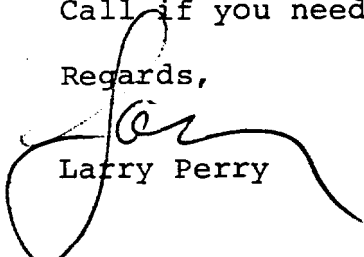
November 27, 1998

Tom:

Find requested copy attached for your files.

Call if you need anything else.

Regards,


Larry Perry



Larry D. Perry

11464 Saga Lane • Knoxville, TN 37931-2819 • Telephone (423) 927-8474 • Fax (423) 927-4912

September 14, 1998

Office of Managing Director
Regulatory Fee Section
Federal Communications Commission
Room 450
Washington, D.C. 20554

RE: WNTD-TV--DAYTONA, FLORIDA--WAIVER OF PARTIAL REGULATORY FEE

Good Morning:

Please find attached a request for a partial waiver of the Annual Regulatory Fee for 1997-98 by Florida Media Broadcasters, Inc. licensee of commercial TV station WNTD-TV Daytona Florida.

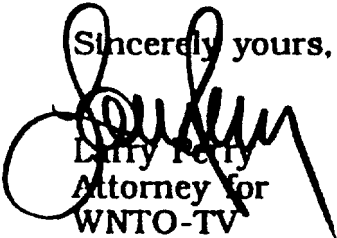
WNTD-TV has undergone extensive losses with the station operations over the past year and is in the process of rebuilding its facilities and turning the operation around financially.

The licensee of WNTD-TV wants to pay its fair share of the regulatory fees, but is unable to at the present due to the expenses and losses of the past year. (See attached statement and financial sheet.) However, it is submitting a fee in the amount of \$1,075 which is the required fee for stations outside the top 100 markets even though WNTD is located within the top 100.

We will be happy to supply any other information you may request when considering this waiver.

Thank you for your time and attention.

Sincerely yours,



Larry Perry
Attorney for
WNTD-TV

cc: Jim McCotter

LP/eb

ROOM 450 1919 M STREET NW WASHINGTON, DC

**FEDERAL
COMMUNICATIONS
COMMISSION
BILLINGS &
COLLECTION
BRANCH**

Fax

To: Larry Perry **From:** TOM PUTNAM

Fax: 423-927-4912 **Pages:** 2

Phone: 423-927-8474 **Date:** 11/25/1998

Re: September 14, 1998 letter

• **Comments:**

Please send to my attention a fax copy of the attachment referred to in your letter. I apologize for the delay in responding to your request.

Tom Putnam

Phone 202-418-2992

Fax 202-418-2843

Payment Transactions Detail Report

Date: 3/8/99

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name	Fcc Account Number	Payer TIN	Received Date								
9809178835444003	MC COTTER, JIM BOX 3266	FCC2061176		09/16/98								
	AVON CO 81620											
Payment Amount	Current Balance	Seq Num	Payment Type Code	Quantity	Callsign Other Id	Applicant Name	Applicant Zip	Bad Check	Detail Amount	Trans Code	Payment Type	
\$1,075.00	\$1,075.00	1	MJU8	1	WNTOTV	FLORIDA MEDIA BROADCASTERS INC	32714		\$1,075.00	1	PMT	
Total	1									\$1,075.00		